

**MILLSTONE TOWNSHIP  
PLANNING BOARD  
MAY 13, 2020  
MEETING MINUTES**

Due to the Covid-19 Pandemic State of Emergency the Millstone Township Planning Board meeting scheduled for Wednesday, May 13, 2020 at 7:30 p.m. was held using the Web Ex Video Conferencing platform. Members of the public have the option to attend the meeting either by using a device (PC, laptop, tablet, or smartphone) or by dialing in via telephone. This information was provided on the Township Website and on the Planning Board Agenda.

Chairman Newman called the meeting to order at 7:30 p.m.

Salute to the Flag.

Reading of Adequate Notice by the Secretary.

Roll Call: Present: Beck, Grbelja, Newman, Oxley, Pado, Pepe, Ziner, Curtis and Arpaia  
Absent: Conoscenti and Pinney

**APPROVAL OF MEETING MINUTES: March 11, 2020**

Deputy Mayor Grbelja made a Motion to approve the Meeting Minutes and Mr. Ziner offered a Second. Roll Call Vote: Grbelja, Ziner, Beck, Oxley and Pepe voted yes to approve the Meeting Minutes.

**PUBLIC COMMENT PORTION:** At 7:35 Chairman Newman opened the Meeting to the public. After a few minutes, seeing no public comment, he closed that portion at 7:36 p.m.

**REVIEW AND RECOMMEND:**

**ORDINANCE NO. 20-10**

**AN ORDINANCE AMENDING CHAPTER XXXV (LAND USE AND DEVELOPMENT), ARTICLE 9 (DEVELOPMENT APPLICATION REQUIREMENTS), SECTION 2-2 (SPECIFIC DEFINITIONS) OF THE REVISED GENERAL CODE OF THE TOWNSHIP OF MILLSTONE, COUNTY OF MONMOUTH AND STATE OF NEW JERSEY**

Board Planner McKinley Mertz provided a synopsis of the Ordinance. She explained that this is more administrative than technical. It requires that all applicants must submit a digital copy of their application. It also amends the checklist to cap the size of the aerials that are being submitted to 18" x 24". Ms. Mertz explained why this ordinance is consistent with the Master Plan. The change is firmly rooted in the Master Plan update adopted by the Planning Board in 2017, Specifically, Land Use Recommendation #8 supports digital submission of site plans and maps.

Chairman Newman asked if there were any questions. Seeing none he asked for a Motion and a Second to determine this ordinance is consistent with the Master Plan.

Mr. Pado made the Motion finding the Ordinance consistent with the Master Plan and Ms. Oxley offered a Second. Roll Call Vote: Pado, Oxley, Arpaia, Beck, Curtis, Grbelja, Newman, Pepe and Ziner voted yes finding the Ordinance Consistent with the Master Plan.

**ORDINANCE NO. 20-11**

**AN ORDINANCE AMENDING CHAPTER XXXV (LAND USE AND DEVELOPMENT), ARTICLE 2 (DEFINITIONS), SECTION 2-2 (SPECIFIC DEFINITIONS) OF THE REVISED GENERAL CODE OF THE TOWNSHIP OF MILLSTONE, COUNTY OF MONMOUTH AND STATE OF NEW JERSEY**

Planner Mertz advised that this amends and adds a few definitions to the code. The Ordinance removes the Technical Review Committee definition since the Township does not have this committee, amends the definition of single family detached dwelling application, adding a definition for accessory building and structure and accessory use.

Planner Mertz explained that the edits are a result of having a lack of definition of accessory uses and buildings. There is no direction for township officials or applicants. The existing single-family detached dwelling definition is vague and could be interpreted in a way that was not the intent of the Ordinance. Planner Mertz explained that we added to it to give it clarity.

Planner Mertz finds that the Ordinance is consistent with the Master Plan. She offered that Both Land Use Goal h. and Goal g. of the 2017 Master Plan are met. Goal g. is to maintain a desirable visual environment through design guidelines that require new development to match existing aesthetic and architectural patterns within the Township. Goal h. is to encourage Township actions that will guide the appropriate use and management of lands within Millstone Township in a manner which will promote the public health, safety, morals, and general welfare.

Attorney Steib explained that the deletion of the definition of the Technical Review Committee is because it was determined by the Courts to be unlawful and inappropriate for Township officials and applicants to meet and discuss their application outside of the Hearing.

Chairman Newman asked for a Motion and a Second finding the Ordinance consistent with the Master Plan. Vice-Chairman Pepe made a Motion finding the Ordinance consistent with the Master Plan and Mr. Pado offered a Second. Roll Call Vote: Pepe, Pado, Arpaia, Beck, Curtis, Grbelja, Newman, Oxley and Ziner voted yes to the Consistency.

**ORDINANCE NO. 20-12**

**AN ORDINANCE AMENDING CHAPTER XXXV (LAND USE AND DEVELOPMENT), ARTICLE 4 (REGULATIONS APPLICABLE TO ALL ZONING DISTRICTS) SECTION 9 (ACCESSORY BUILDINGS AND STRUCTURES) AND VARIOUS SECTIONS OF ARTICLE 5 (ZONING DISTRICT REGULATIONS) OF THE REVISED GENERAL CODE OF THE TOWNSHIP OF MILLSTONE, COUNTY OF MONMOUTH AND STATE OF NEW JERSEY**

Planner Mertz explained the Ordinance. Accessory structures have not been allowed within commercial zones for accessory uses. This would allow for accessory structures in all zones. This Ordinance also allows for emergency generators to be installed in commercial zones. She feels these are both consistent with the 2017 Master Plan update under both Goals H and Goal G.

Planner Mertz offered that there are standards applied to the emergency generators such as their location whereby they cannot be in the front yard. The proximity to a residential home as well as the appropriate installation are all addressed in the Ordinance. Planner Mertz advised the Ordinance is supported by Economic Goal c. of the 2017 Master Plan to support new business within existing commercial areas and areas zoned for commercial uses. The Ordinance allows commercial businesses to have an accessory structure for the purpose of storing equipment for maintaining their sites. Planner Mertz explained that the Ordinance furthers Land Use Goals g. and h. as well.

Mr. Pado asked if there are limitations and square footages for the accessory structures or does it fit under the impervious coverage limits. Planner Mertz explained that there are standards within the Ordinance that will not change.

Mr. Ziner asked who defines what an emergency is and when does it end. Mr. Pado stated that when you lose power. He advised that in Moto Park power goes out often. If the business cannot get power that is when the generators can kick in.

Ms. Oxley asked about the noise levels of the generators. Planner Mertz and Deputy Mayor Grbelja advised that there are Ordinances in place in the Town regulating noise levels. Board Attorney Steib stated that there are also NJDEP guidelines as well.

Mr. Ziner is concerned about the noise level if the entire Moto Park installs a generator what would the noise level be.

Attorney Steib stated that the NJDEP Noise guidelines are based upon on the decibels at the perimeter of the property. This would be difficult. The Zoning Department does not have a meter to test the noise decibel.

Vice-Chairman Pepe stated that this Business Park was designed to have those businesses located there.

Engineer Shafai stated that if this is an emergency, all the homes in the area will be utilizing their generators as well.

Deputy Mayor Grbelja stated that there are many accidents on Route 33 and Prodelin Way and power goes out as a result. She advised that most people that have generators attached to their homes have a quieter generator. In emergency situations, you will not have the gymnastics going on at the Park. She stated that most business that are not essential may not be working during an emergency such as Irene and Sandy.

Planner Mertz suggested that the Planning Board can make recommendations to the Township Committee regarding their concern about potential noise levels because of the emergency generators being used.

Chairman Newman suggested a motion identifying this Ordinance as being consistent with the Master Plan and adding the Board's recommendation to the Committee considering enhanced enforcement when the generators are running.

Mr. Ziner made a Motion finding the Ordinance consistent with the Master Plan that includes the recommendation, and Mr. Arpaia offered a Second. Roll Call Vote: Ziner, Arpaia, Beck,

Curtis, Grbelja, Newman, Pado, Pepe and Oxley votes yes to the consistency and the recommendation to the Township Committee.

**ORDINANCE NO. 20-13**

**AN ORDINANCE AMENDING CHAPTER XXXV (LAND USE AND DEVELOPMENT), ARTICLE 10 (IMPROVEMENTS), SECTION 10-2 (INSTALLATION OF IMPROVEMENTS AND/OR PERFORMANCE GUARANTEES REQUIRED PRIOR TO FINAL APPROVAL) AND ARTICLE 11 (DESIGN AND PERFORMANCE STANDARDS AND CONSTRUCTION SPECIFICATIONS), SECTION 11-22 (WATER SUPPLY) AND SECTION 11-23 (SANITARY SEWERS AND SEPTIC SYSTEMS) OF THE REVISED GENERAL CODE OF THE TOWNSHIP OF MILLSTONE, COUNTY OF MONMOUTH AND STATE OF NEW JERSEY**

Planner Mertz stated that we are amending various sections of the code to remove all references to public water and sewer systems. It has always been the policy of Millstone to discourage any expansion of public water and sewer systems. This is a cleanup ordinance and we are of eliminate those items.

Planner Mertz stated that the Ordinance is consistent with the Master Plan citing Land Use Goal a. to promote the establishment of appropriate rural population densities and concentrations that will contribute to the well-being persons, neighborhoods, communities and regions and preservation of the environment by encouraging septic systems and discouraging public water and sewer. Larger densities are encouraged by bringing in the public utilities.

Planner Mertz stated that the Township continues to limit the extension of sewer and water service, the installation of which would interfere with the Township's environmentally sensitive features, rural make-up, and is not in accordance with the State Plan's vision for a planning area 4B community given that there are no existing designated centers in Millstone. Planner Mertz stated that this plays into the intent of the State's Plan. By removing those references for water and sewer and eliminating that from coming into the Town.

Planner Mertz referenced Land Use Recommendation 11 of the Master Plan 2017 update. The Township should continue to strongly discourage and prohibit the extension of public sewer and public water services into the areas of the Town known as planning area 4B. It is Planner Mertz' opinion that this a clean-up Ordinance.

Chairman Newman asked if there were any comments or questions from the Board. Deputy Mayor Grbelja made a Motion finding the Ordinance consistent with the Master Plan and Mr. Arpaia offered a Second. Roll Call Vote: Grbelja, Arpaia, Beck, Curtis, Newman, Oxley, Pado, Pepe and Ziner votes yes to the consistency with the Master Plan.

Seeing No New Business or Old Business, Chairman Newman Made a Motion to Adjourn the Meeting at 8:15 p.m. and Vice-Chairman Pepe offered a Second and by unanimese vote the meeting adjourned.

Respectfully submitted,

Pamela D'Andrea

